

## REMARKS

Applicant respectfully requests the Examiner's reconsideration of the present application. Claim 74 has been canceled. Claims 1, 11, 20, 28, 37, 42, 47, 52, 73, 76-77, 79-80 and 82-83 have been amended. No new claims have been added. Therefore, claims 1-73 and 75-84 are presented for examination.

## **Claim Amendments**

Applicant has amended the claims to more particularly point out what Applicant regards as their invention. No new matter has been added as a result of these amendments.

## **Rejections Under 35 U.S.C. §102**

### *Klinger*

The Examiner has rejected claims 1-84 under 35 U.S.C. §102(b), as being anticipated by Klingler et al., U.S. Patent 5,404,316 ("Klingler"). Applicant respectfully submits, however, that the present claims are not anticipated by Klingler.

Klingler discloses a graphical user interface which allows a user to implement image processing techniques. Data flow graphs are created which record image processing operations selected using the interface. The architecture allows the system to capture and reproduce editing operations in the creation of a movie. (Klingler, col. 2, II. 42-46; col. 4, II. 59-62, Figure 2).

Independent claims 1, 11, 20, 37, 42, 47 and 52, as amended, each include the limitation of presenting capture information from the time based stream of information

on a portion of a display while the capture information is acquired from the information source in a capture mode, the capture mode to import the time based stream of information into the processing system. Applicant respectfully submits that Klingler does not disclose this limitation.

The Examiner has asserted that "Klinger teaches how to capture information by copying/cutting and pasting a selected clip with its time line and other information for editing in a different display." (Office Action, p. 8). Although Klingler discloses that selected clips may be cut and pasted between the different views, this is entirely different from Applicant's claimed presenting of capture information. The cutting and/or pasting of clips are simply editing operations performed on existing files. (Klingler, col. 3, II. 45-49) These editing operations are not equivalent to capture information as claimed. Applicant respectfully reminds the Examiner that the claims must be interpreted consistent with their Specification. (MPEP 2111). Applicant has amended the claims to further point out to the Examiner the meaning of capture information as used by Applicant. In contrast to Klingler's cut/paste operations, the claimed capture information is presented as it is being acquired/imported from an information source into a system. Klingler simply does not disclose that selected clips which are cut/pasted are simultaneously being acquired and imported into the system.

Accordingly, it is respectfully submitted that independent claims 1, 11, 20, 37, 42, 47 and 52, and claims 2-10, 12-19, 21-27, 38-41, 43-46, 48-51, and 53-56 that depend from them, are not anticipated by Klingler. In addition, independent claims 28, 57, 61, 65, 69, 73, 76, 79 and 82, as amended, include limitations which distinguish the claims from Klingler. Accordingly, for at least the reasons discussed above, it is respectfully

submitted that independent claims 28, 57, 61, 65, 69, 73, 76, 79 and 82 and claims 29-36, 58-60, 62-64, 66-68, 70-72, 74, 75, 77, 78, 80, 81, 83 and 84 that depend from them, are not anticipated by Klingler. Therefore, Applicant respectfully requests the withdrawal of the rejections of the claims.

### **Conclusion**

Applicant respectfully submits that in view of the amendments and discussion set forth herein, the applicable rejections have been overcome and the pending claims are in condition for allowance.

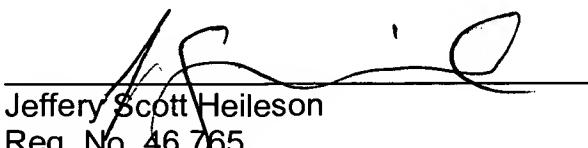
If the Examiner determines the prompt allowance of the claims could be facilitated by a telephone conference, the Examiner is invited to contact Scott Heileson at (408) 720-8300.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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Jeffery Scott Heileson  
Reg. No. 46,765

12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025  
(408) 720-8300